

Town Board Minutes
(Municipal Review Committee)

Meeting
No. 22

Special Meeting

June 21, 2004

Town Board Minutes

June 21, 2004

Meeting No. 22

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 21st day of June 2004, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPNIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for three (3) actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
CATCO SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Catco site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY
PLANNING BOARD MEMBER KORZENIEWSKI
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER GOBER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
CATCO SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately .46 acres.

The location of the premises being reviewed is situate at 1266 Town Line Road, County of Erie, Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type I threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

Small to moderate impacts noted.

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No significant adverse effects noted

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No significant adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No significant adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No significant adverse effects noted

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No significant adverse effects noted

- C.7 Other impacts (including changes in use of either quantity or type of energy).

No significant adverse effects noted

- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

June 21, 2004

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUT	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

June 21, 2004

IN THE MATTER OF THE SEQR REVIEW OF THE

WHISPERING PINES SUBDIVISION

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Whispering Pines Subdivision matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
WHISPERING PINES SUBDIVISION
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 18.3 ± acres.

The location of the premises being reviewed is Aurora Street, County of Erie, Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
It is noted that:
 - Construction will be on land where the depth to the water table is less than three feet.
 - Construction will continue for more than one year.
 - Construction of roadway and road culvert to be in the area of the 100 year flood plain.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction.
6. The proposed action will alter drainage flow patterns or surface water runoff.
It is noted that:
 - There will be a small to moderate impact on flood water flow.
 - The roadway and road culvert will be developed in a designated floodway.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate impact on threatened or endangered species.
It is noted that pesticide or herbicide will be used for lawn care more than twice a year.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.

11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or palaeontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action will not affect existing transportation systems.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will affect the character of the existing community.
It is noted that:
 - There will be a small to moderate change in the density of land use.
 - Demand will be created for additional services from the schools, police and fire departments.
 - There will be a small increase in employment during construction.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

It is further noted that the Municipal Review Committee of the Town of Lancaster has provided for affordable housing to all income groups as a part of its Comprehensive Master Plan and within its zoning ordinances.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

June 21, 2004

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Eric County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted

June 21, 2004

IN THE MATTER OF THE SEQR REVIEW OF THE

BUFFALO-LANCASTER AIRPORT SITE PLAN

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Buffalo-Lancaster Airport site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER SZYMANSKI
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD CHAIRMAN KEYSA, TO WIT:**

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
BUFFALO-LANCASTER AIRPORT SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 0.4 acres.

The location of the premises being reviewed is 4343 Walden Avenue, County of Erie, Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
It is noted that:
 - A State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction.
 - In accordance with Town Board Approval of the site plan, the applicant shall install a protection barrier around the fuel tanks.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.

14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action will not affect existing transportation systems.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate impact on the character of the existing community.
It is noted that:
 - There may be a very small increase in demand for police and fire services.
 - The proposed action will cause a slight increase in employment.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

June 21, 2004

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted

June 21, 2004


ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER SZYMANSKI AND SECONDED BY
COUNCIL MEMBER KORZENIEWSKI FOR ADJOURNMENT OF THE MEETING, which
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 7:01 P.M.

Signed


Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 23

Regular Meeting

June 21, 2004

Town Board Minutes

June 21, 2004

Meeting No. 23

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day of June, 2004 at 8:00 P.M. and there were:

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
CHRISTINE FUSCO, ASSESSOR

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matter:

- Questions about assessment update.

Chowanec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Comments and questions about Lancaster Speedway running until 4 A.M.

Yellen, Mark, President & CEO of Appraisal.com, spoke to the Town Board on the following matter:

- Thanks the Board for their consideration in granting approval to the firm's relocation to the City of Buffalo's Empire Zone from the Town of Lancaster.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Expressed concern regarding the Town of Lancaster's contract for engineering services for design of salt storage shed.
- Comments about Lancaster Speedway, noting that in 1958 owners agreed to 11 P.M. ending time at speedway.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon the application of Skok Power Systems, Inc. for a Special Use Permit for spraying of bed liners.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Dan Beutler	26 Tyler Street	Questions
Joseph Skok	73 Cemetery Road	Comments

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED
BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING,
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:34 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

June 21, 2004

PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle & Traffic Ordinance of the Town of Lancaster in Summerfield Farms and Valley Overlook Subdivisions.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
None		

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER MONTOUR, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:35 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

June 21, 2004

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to Chapter 50 of the Code of the Town of Lancaster for Principal structures and uses for the temporary storage of waste.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Jeff Davis	218 Calumet Street	Questions/Comments/Proponent
Jim Brett	659 Harris Hill Road	Questions

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:48 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

June 21, 2004

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 8:48 P.M., the Town Board held a Public Hearing to hear all interested persons upon the re-location of operations of Appraisal.com Inc. from the Town of Lancaster to the City of Buffalo Empire Zone.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Donald Symer	610 Columbia Avenue	Questions
Daniel Beutler	26 Tyler Street	Comments
Jim Brett	659 Harris Hill Road	Questions
Mark Yellen, President & CEO, Appraisal .com	344 Harris Hill Road	Comments

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:55 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

June 21, 2004

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Planning Board and the
Town Board held June 7, 2004 and the Regular Meeting of the Town Board held June 7, 2004 be
and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	ABSTAINED
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Lancaster Airport Inc., 10904 Townline Road , Darien Center, New York, has submitted a Site Plan prepared by Passero Associates dated May 2004 and received May 3, 2004 for the proposed construction of a maximum 16 unit pre-engineered metal T-Hangar building to be located at the Buffalo-Lancaster Airport, 4343 Walden Avenue in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting May 19, 2004 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held June 21, 2004 and a negative declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Lancaster Airport Inc. and prepared by Passero Associates dated May 2004 and received May 3, 2004 for the proposed construction of a maximum 16 unit pre-engineered metal T-Hangar building to be located at the Buffalo-Lancaster Airport, 4343 Walden Avenue in the Town of Lancaster with the following condition:

- 1.) that the applicant shall install a protection barrier around the fuel tanks.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: rspbuffalolancasterairport604

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, Catco, 1266 Townline Road, Lancaster, New York, has submitted a Site Plan prepared by Galbo Architects dated May 17, 2004 and received May 18, 2004 for the proposed construction of a new 10,000 square foot one-story metal building to be located at 1266 Townline Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting June 3, 2004 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held June 21, 2004 and a negative declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Catco prepared by Galbo Architects dated May 17, 2004 and received May 18, 2004 for the proposed construction of a new 10,000 square foot one-story metal building to be located at 1266 Townline Road in the Town of Lancaster with the following conditions:

- 1) Landscape plan requirement waived.
- 2) Site Plan to be amended removing items that do not exist.
- 3.) Street address to be posted near the road as per Town regulations.
- 4.) Commitment to complete paving of project by June 1, 2005.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: rspecatcocorporation604

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the **THD Group**, 4455 Transit Road, Suite B, Williamsville, New York 14221, has submitted a Site Plan prepared by Wm. Schutt & Associates, P.C., dated February 17, 2004 and received February 17, 2004 for the proposed construction of a 1,645 square foot Tim Horton's restaurant and associated paving, storm drainage and utilities located at 496 Harris Hill Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting March 17, 2004 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held April 5, 2004 and a negative declaration was issued at that time, and

WHEREAS, the Zoning Board of Appeals has reviewed and granted six (6) variances from Chapter 50, of the Zoning Code of the Town of Lancaster at its meeting on June 10, 2004.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by the THD Group and prepared by Wm. Schutt & Associates, P.C., dated February 17, 2004 and received February 17, 2004 for the proposed construction of a 1,645 square foot Tim Horton's restaurant and associated paving, storm drainage and utilities located at 496 Harris Hill Road in the Town of Lancaster with the following conditions:

- 1) Additional planting on the west side
- 2) Comply with all conditions imposed by the County of Erie Department of Public Works regarding curb cut on the county road known as Harris Hill Road to include any lane realignment or installation of additional road lane for traffic entering the site through the Harris Hill Road access point as is required by the Erie County Department of Public Works, Division of Highways.
- 3) Comply with all other conditions required by County of Erie Department of Public Works, Division of Highways with respect to moving the advanced vertical clearance sign, piping the open ditch along Harris Hill with a drop inlet or field inlet and landscaping as the County requires between the property line and the edge of shoulder.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: rsptimhortons604

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Appraisal.com currently operates a business within the Town of Lancaster providing services for appraisers, and

WHEREAS, Appraisal.com has provided software and internet web hosting services in Lancaster commencing in the year 2000, and

WHEREAS, Appraisal.com Inc. employs 53 people including 1 resident of Lancaster and 52 within close proximity, and

WHEREAS, physical limitations have prevented Appraisal.com Inc. from remaining at its current address at 334 Harris Hill Road, Lancaster, New York beyond 2004, and

WHEREAS, Appraisal.com Inc. has attempted to relocate in Lancaster but cannot find comparable space, and

WHEREAS, Appraisal.com Inc. has met with development authorities from the State of Virginia and the State of Florida as well as agencies from other states prior to receiving a proposal to remain in the State of New York, and

WHEREAS, Appraisal.com Inc. has requested that the Town Board of the Town of Lancaster permit it to transfer its operations from the Town of Lancaster to the City of Buffalo Empire Zone, and

WHEREAS, Section 959 (a) (iii) General Municipal Law permits certification of a business enterprise that has shifted its operation from one area of the state into an Empire Zone upon the approval of the municipality in which the company is currently located, and

WHEREAS, the shift from Lancaster into the City of Buffalo Empire Zone will retain this business in Western New York, and

WHEREAS, the Town Board has heard public comments regarding the relocation of Appraisal.com to the City of Buffalo Empire Zone.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster consents to the relocation of Appraisal.com from the Town of Lancaster to the City of Buffalo Empire Zone.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, a Public Hearing was held on the 21st day of June, 2004 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted:

NOW, THEREFORE, BE IT

RESOLVED, as follows:

2. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on June 21, 2004;
3. That a Certified Copy thereof be published in the Lancaster Bee on June 24, 2004;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: rv1ordchpt46stopsigns604a

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION STOPS;
YIELD INTERSECTIONS**

46-8.1 Stop Intersections designated, is hereby amended by adding thereto the following:

SUMMERFIELD FARMS SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Apple Blossom Boulevard	Ashwood Court	S.E. Corner
Ashwood Court	Apple Blossom Boulevard	S.W. Corner
Ashwood Court	Apple Blossom Boulevard	N.E. Corner
Avian Way	Ashwood Court	S.W. Corner
Avian Way	Ashwood Court	N.E. Corner
Ashwood Court	Avian Way	S.E. Corner

VALLEY OVERLOOK SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Overlook Court	Valley Overlook Drive	N.E. Corner

June 21, 2004

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY that I, JOHANNA M. COLEMAN, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 21st day of June, 2004, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 21st day of June, 2004.

Johanna M. Coleman, Town Clerk

File: rvtordchpt46stopsgns604a

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of two (2) new and unused complete dump bodies and snow plow equipment, for the use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Bids be received by the Town Clerk on July 8, 2004 at 10:00 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing two (2) new and unused complete dump bodies and snow plow equipment for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: rhighwaysnowplowsanddumpbodies604

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 8th day of July, 2004, for the purpose of providing to the Town of Lancaster two (2) new and unused complete dump bodies and snow plow equipment, for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

June 21, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of one (1) new and unused compact excavator, for the use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That Bids be received by the Town Clerk on July 8, 2004 at 10:00 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing one (1) new and unused compact excavator, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 8th day of July, 2004, for the purpose of providing to the Town of Lancaster one (1) new and unused compact excavator, for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN
Town Clerk

June 21, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the General Crew Chief, by letter dated June 11, 2004, has requested the appointment of a seasonal employee in the Parks, Recreation and Forestry Department of the Town of Lancaster for the summer season of 2004.

WHEREAS, this appointment is necessary due to a previously appointed employee declining the position.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of seasonal employee for the summer season of 2004 in the Parks, Recreation and Forestry Department of the Town of Lancaster, effective June 28, 2004, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Aaron Leon (new hire) 1 Matthews Drive Lancaster, New York	Recreation Attendant (Playground Attendant)	\$6.00 hr.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: Rpers.seasonal (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated June 12, 2004 has requested the addition of two (2) Non-Resident Probationary Active Members to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the following additions to the membership of the Bowmansville Volunteer Fire Association:

ADDITIONS - Non-Resident Probationary Active Members:

Shawn M. Castanik
119 Ellicott Place
Depew, New York

David C. Gaiser
106 Westwood Road
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: RFIRE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster has informed the
Town Board that a vacancy exists in the position of Dog Control Officer, Part Time, and

WHEREAS, the Dog Control Officer has recommended the appointment of
Ronald Polanski, 52 Waltham Avenue, Lancaster, New York 14086 to the aforementioned position
of Dog Control Officer, Part Time.

NOW, THEREFORE, BE IT

RESOLVED, that Ronald Polanski, 52 Waltham Avenue, Lancaster, New York
14086 be and is hereby appointed to the position of Dog Control Officer, Part Time, with no health
benefits, insurance, sick days, vacation or other benefits, effective June 26, 2004, and

BE IT FURTHER

RESOLVED, that the salary for this position is \$12.03 per hour which is 75% of
the gross salary, as set forth in the 2004 Schedule of Salaries.

The question of the adoption of the following resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

FILE: RPERS.DCO (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau, by letter dated June 16, 2004, has recommended appointments for the Youth Bureau's 2004 Exam Preparation and Summer Programs.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to positions in the Youth Bureau's 2004 Exam Preparation and Summer Programs of the Town of Lancaster effective June 21, 2004 at the following rates:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Jessica Allen (new hire) 105 Forestview Drive Depew, New York	Tutor	\$15.00 hr.
Denise Williams 171 Kokomo Street Depew, New York	Tutor	\$15.50 hr.
Joseph Peterson 6 North Transithill Apt. #5 Depew, New York	Tutor	\$15.50 hr.
Frank DiLeo 40 Homer Avenue Buffalo, New York	Tutor	\$15.50 hr.
Kimberly Ann Rawe 163 Eiseman Avenue Kenmore, New York	Tutor	\$15.50 hr.
Amy Doody 43 Starlite Avenue Cheektowaga, New York	Tutor	\$15.50 hr.
Melissa Dzikowski 7580 Black Creek Road Hamburg, New York	Tutor	\$15.50 hr.
Tracey Jordan (new hire) 6853 A Erie Street Derby, New York	Tutor	\$15.00 hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: Rpers.seasonal (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Namco Cybertainment, Inc. (AMF Bowling Centers- Lancaster Lanes), has applied for a license to operate and maintain a Game Room on premises located at 4913 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector for review and recommendation, and

WHEREAS, the Building Inspector has completed his review and made a formal, favorable recommendation to the Town Board on the issuance of this license.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to issue a license to Namco Cybertainment, Inc. (AMF Bowling Centers- Lancaster Lanes) to operate and maintain a Game Room on premises located at 4913 Transit Road, Lancaster, New York, and

BE IT FURTHER

RESOLVED, that said license shall be issued for the one (1) year period of July 1, 2004 to June 30, 2005 in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$680 for eleven (11) amusement devices.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: RLICENSE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Video Repair Center, 5395 Genesee Street, New York, has submitted a Site Plan prepared by Young Architectural, LLC dated May 27, 2004 and received June 1, 2004 for the proposed construction of a 2,080 square foot addition to an existing metal building and a future 1,040 square foot storage building to be located at 5395 Genesee Street in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting June 16, 2004 has recommended approval of this project, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Video Repair Center and prepared by Young Architectural, LLC dated May 27, 2004 and received June 1, 2004 for the proposed construction of a 2,080 square foot addition to an existing metal building and a future 1,040 square foot storage building to be located at 5395 Genesee Street in the Town of Lancaster with the following condition:

1) Phase II of this project - a driveway extension must be constructed on a dust-free hard surface.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: rspvideorepaircenter604

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of two (2) large plow trucks, cab and chassis only, for the use of the Highway Department, and

WHEREAS, these trucks are available from a state bid which eliminates the need for competitive bidding under the General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of said trucks;

**NOW THEREFORE, BE IT
RESOLVED**, as follows:

1.) The Town Board of the Town of Lancaster hereby approves the purchase of two (2) large plow trucks, cab and chassis only, as proposed by the Superintendent of Highways of the Town of Lancaster in the sum not to exceed \$168,567.20 which sum shall be paid with funds available in the 2004 Highway Department budget.

2.) This equipment shall be purchased from state bid without the need for competitive bidding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board has received a proposal for professional engineering services from Advanced Storage Technology, Inc. 4053 Maple Road, Suite 106, Amherst, New York 14226 to provide the Town of Lancaster with plans and specifications for a new salt storage building with conditions as stated in the proposal, and

WHEREAS, the Town Board has reviewed the proposal submitted and deems it in the public interest to engage Advanced Storage Technology, Inc. to complete such plans and specifications in the fixed fee in the sum of \$10,000 as set forth in the proposal from Advanced Storage Technology, Inc.;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement with Advanced Storage Technology, Inc. to provide the Town of Lancaster with plans and specifications for a new salt storage building with conditions as stated in the proposal.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: rengincringadvancedstoragetechologysaltstoragebldg.604

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 9269 to Claim No. 9535 Inclusive

Total amount hereby authorized to be paid: \$324,869.94

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: Relaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

11905	Colley's Pool Sales Inc	34 Cedar Brook Dr	Er. Pool-Abv Grnd	
11906	Abraszek, Kenneth	40 Summerfield Dr	Er. Deck	
11907	Kabala, Michelle	18 E Home Rd	Er. Res. Alt.	
11908	Colley's Pool Sales Inc	6342 Broadway	Er. Pool-In Grnd	
11909	Precision Fence	6342 Broadway	Er. Fence	
11910	Schaff, Gary	5643 Broadway	Er. Shed (V/L)	
11911	Dalton, Scott	3 Stream View Ln	Er. Dwlg.-Sin.	
11912	Majestic Pools Inc	59 Williamsburg Ln	Er. Fence	
11913	Majestic Pools Inc	59 Williamsburg Ln	Er. Pool-In Grnd	
11914	Swimco Mfg	41 Quail Run Ln	Er. Pool-In Grnd	
11915	Swimco Mfg	50 Cedar Brook Dr	Er. Pool-In Grnd	
11916	American Fence	50 Cedar Brook Dr	Er. Fence	
11917	Braymiller Builders	5110 William St	Er. Res. Add.	
11918	Premier Pools	4786 William St	Er. Pool-Abv Grnd	
11919	Duro-Shed Inc	54 Cedar Brook Dr	Er. Shed	
11920	Holiday Lumber Co	6310 Genesee St	Er. Deck	
11921	Michel, Howard	13 Bentley Cir	Er. Deck	
11922	Majestic Pools Inc	13 Signal Dr	Er. Pool-Abv Grnd	
11923	Garages by Federal	428 Aurora St	Er. Res. Add.	
11924	Swimco Mfg	880 Townline Rd	Er. Pool-In Grnd	
11925	Swimco Mfg	880 Townline Rd	Er. Fence	
11926	Partell, Jeff	26 E Drullard Ave	Er. Deck	(V/L)
11927	M & H Construction	48 Bentley Cir	Er. Res. Add.	
11928	Pool Works, The	25 Village View	Er. Pool-Abv Grnd	
11929	Iroquois Fence Inc	46 Sussex Ln	Er. Fence	
11930	Thorton, John	35 Giele Ave	Er. Fence	
11931	Hameister, Mary	93 Aurora St	Er. Fence	(V/L)
11932	Capizzi, Joel	22 Rue Madeleine Way	Er. Deck	
11933	Nasternak, Kenneth	72 Tomahawk Trl	Er. Pool-Abv Grnd	
11934	Komkle, Michael	114 Newberry Ln	Er. Deck	
11935	Ostrowski, Kenneth	1 Lancaster Ave	Er. Shed	(V/L)
11936	Zwara, Jerome	1 Mason Pl	Er. Res. Alt.	(V/L)

11937	Majchrowicz, Kevin	116 Newberry Ln	Er. Deck	
11938	Curry Custom Decks	5 Ann Marie Dr	Er. Deck	
11939	Santoro Signs Inc	8 Legion Pky	Er. Sign	(V/L)
11940	Smith, Nicholas	19 Cobblestone Ct	Er. Pool-Abv Grnd	
11941	T.S. Schffler Inc	48 Burwell Ave	Er. Res. Alt.	(V/L)
11942	Duro-Shed Inc	29 Kennedy Ct	Er. Shed	
11943	Szymanski, Daniel	47 Lakeside Cres	Er. Fence	(V/L)
11944	Duro-Shed Inc	212 Enchanted Forest N	Er. Shed	
11945	Jurek, Valerie	6148 Broadway	Er. Sign-Temp	
11946	Beauty Pools Inc	51 Sussex Ln	Er. Pool-In Grnd	
11947	City Fence Inc	51 Sussex Ln	Er. Fence	
11948	Spyrcs, David	243 Lake Ave	Er. Deck	(V/L)
11949	Ulbrich Sign Co	4875 Transit Rd	Er. Sign	
11950	Majestic Pools Inc	70 Tomahawk Trl	Er. Pool-In Grnd	
11951	Creative Fence Co Inc	70 Tomahawk Trl	Er. Fence	
11952	Bailey, Sheila	273 Aurora St	Er. Fence	(V/L)
11953	T.S. Schiffler Inc	150 Robert Dr	Er. Fence	(V/L)
11954	Don Vickerd Inc	142 Nathan's Trl	Er. Pool-Abv Grnd	
11955	Duro-Shed Inc	19 Thorn Apple Ln	Er. Shed	(V/L)
11956	Gary Pools Inc	43 Irwinwood Rd	Er. Pool-Abv Grnd	(V/L)
11957	Majestic Pools Inc	29 Creekwood Dr	Er. Gazebo	
11958	Holy Mother	6262 Broadway	Er. Sign	
11959	C & B Enterprises	44 Woodlawn Ave	Er. Res. Add.	(V/L)
11960	Kornacki, Kenneth	68 Pleasant Ave	Er. Fence	(V/L)
11961	Marrano/Marc Equity	11 Avian Way	Er. Dwlg.-Sin.	
11962	Hudson, Paul	284 Pleasant View Dr	Er. Deck	
11963	Buscaglia Decks	12 Woodgate Dr	Er. Deck	
11964	Duro-Shed Inc	21 Fox Trace	Er. Shed	
11965	Marino, Vincent	5600 Broadway	Er. Sign	(V/L)
11966	Cross, Kevin	16 Creekwood Dr	Er. Shed	
11967	Cross, Kevin	16 Creekwood Dr	Er. Deck	
11968	Walter Stanton Const.	12 Petersbrook Cir	Er. Res. Add.	
11969	Frazier, Douglas	147 Wendel St	Er. Dwlg.-Sin.	
11970	Kwasniewski, Kenneth	5074 William St	Er. Shed	
11971	Penner, Paul	151 Fourth Ave	Er. Shed	(V/L)
11972	Longwell, Carl	30 Wilkshire Pl	Er. Porch	(V/L)
11973	Rich Pools Inc	91 Cambria St	Er. Pool-Abv Grnd	(V/L)
11974	Hunt, Thomas	54 Garfield St	Er. Shed	(V/L)
11975	Hunt, Thomas	54 Garfield St	Dem. Garage	(V/L)
11976	Allen, Jeannine	912 Townline Rd	Er. Pool-Abv Grnd	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 21, 2004

File: Rbldg2

318. General Crew Chief to Supervisor -
Request resolution to a hire seasonal employee. DISPOSITION = Resolution 6/21/04
319. Bowmansville Volunteer Fire Association to Town Board -
Request for change in roster. DISPOSITION = Resolution 6/21/04
320. Erie County Department of Environment & Planning to Town Attorney -
Recommendations regarding Preliminary Plat Review and Environmental Health & Safety Review for proposed Whispering Pines Subdivision, Aurora Street.
DISPOSITION = Planning Committee
321. Joe Gurowicz to Planning Board Chairman -
Request for bicycle path in the proposed Pleasant Meadows Subdivision.
DISPOSITION = Planning Committee
322. NYS DEC to Erie County Dept. of Environment and Planning -
Notification of Lead Agency Designation to Erie County regarding reconstruction of Cemetery Road Bridges; concerns noted. DISPOSITION = Received & Filed
323. Erie County Department of Public Works to Supervisor, Highway Superintendent -
Notice of availability of pavement striping to municipalities. DISPOSITION = Highway Superintendent
324. Adelphia to Supervisor -
Notification of changes in billing cycle for cable service. DISPOSITION = Received & Filed
325. Greater Buffalo-Niagara Regional Transportation Council to Town Board -
Notice of certification review of GBNRTC planning process by U.S. Dept. of Transportation. DISPOSITION = Received & Filed
326. Lynda Stephens to Supervisor -
Comments regarding proposed management of Buffalo parks by Erie County.
DISPOSITION = Received & Filed
327. Dog Control Officer to Town Board -
Request resolution to hire Ronald Polanski as Assistant Dog Control Officer.
DISPOSITION = Resolution 6/21/04
328. Building Inspector to Town Clerk -
Notice of approval of application for Game Room License for AMF Bowling Center.
DISPOSITION = Received & Filed
329. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Deputy Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held June 16, 2004.
DISPOSITION = Received & Filed
330. Planning Board to Town Board -
Adjournment of Site Plan Review for Friendly's Restaurant & Convenience Store until July 7, 2004. DISPOSITION = Planning Committee
331. Planning Board to Town Board -
Recommend approval of Site Plan for Video Repair Center, 5395 Genesee Street; condition noted. DISPOSITION = Planning Committee

COMMUNICATIONS & REPORTS:

304. NYS DOT to Town Clerk -
Notification of acceptance of completed work for replacement of Broadway bridges.
DISPOSITION = Received & Filed
305. Renaldo & Palumbo, Attorneys to Supervisor -
Notification of withdrawal of Anastasi rezone application, Pavement Road.
DISPOSITION = Received & Filed
306. Erie County Department of Environment & Planning to Town Attorney -
Notification of Lead Agency Designation to the Town of Lancaster regarding
proposed T-Hanger at Buffalo-Lancaster Airport. DISPOSITION = Planning
Committee
307. Erie County Department of Public Works to Wm. Schutt & Associates, P.C. -
Comments regarding proposed Tim Horton's Restaurant, 496 Harris Hill Road.
DISPOSITION = Planning Committee
308. Landmark Society of the Niagara Frontier to Supervisor -
Letter of appreciation for funding for the Hull House restoration project.
DISPOSITION = Received & Filed
309. Association of Erie County Governments to Town Board -
Notice of meeting to be held June 24, 2004, 6:30 PM, at Brant Community Center.
DISPOSITION = Received & Filed
310. Association of Erie County Governments to Town Board -
Transmittal of resolution regarding funding for maintenance of Recreational Trails.
DISPOSITION = Received & Filed
311. NYS Thruway Authority/NYS Canal Corporation to Supervisors, Town of Lancaster &
Town of Cheektowaga -
Notification of receipt of letter regarding traffic corridors in the Towns of Lancaster
and Cheektowaga. DISPOSITION = Received & Filed
312. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, Town
Engineer -
Notification of SEQR meeting to be held June 21, 2004 at 6:30 PM to consider Catco,
Whispering Pines Subdivision, and Buffalo-Lancaster Airport projects.
DISPOSITION = Received & Filed
313. Town Clerk to Various News Media -
Notification of SEQR meeting to be held June 21, 2004 at 6:30 PM to consider
Whispering Pines Subdivision and the site plan applications of Catco and Buffalo-
Lancaster Airport. DISPOSITION = Received & Filed
314. Highway Superintendent to Town Board -
Request resolution to purchase snow plows and dump bodies. DISPOSITION =
Resolution 6/21/04
315. Highway Superintendent to Town Board -
Request resolution to purchase compact excavator. DISPOSITION = resolution
6/21/04
316. Village of Lancaster to Town Board -
Official minutes of meeting held May 10, 2004. DISPOSITION = Received & Filed
317. General Crew Chief to Planning Board, Council Members Montour, Ruffino, &
Stempniak -
Request landscaping plans for Friendly Restaurant and Convenience Store, 6673
Transit Road, and Video Repair Center, 5395 Genesee Street. DISPOSITION =
Planning Committee

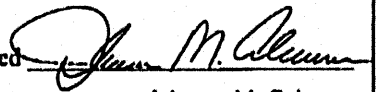
ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK, AND SECONDED BY
COUNCIL MEMBER RUFFINO FOR ADJOURNMENT OF THE MEETING, which resulted
as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The meeting was adjourned at 9:10 P.M.

Signed



Johanna M. Coleman